

PROB 22 (Rev12/06)		DOCKET NUMBER (Tran. Court) 3:03CR241	
TRANSFER OF JURISDICTION		DOCKET NUMBER (Rec. Court)	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Eugene Cooley	DISTRICT EASTERN DISTRICT OF VIRGINIA	DIVISION Richmond	
	NAME OF SENTENCING JUDGE The Honorable Henry E. Hudson		
	DATES OF PROBATION/SUPERVISED RELEASE:	FROM 5/22/07	TO 5/21/10

OFFENSE
Distribution of Cocaine Base

JUDGE COAR
MAGISTRATE JUDGE BROWN

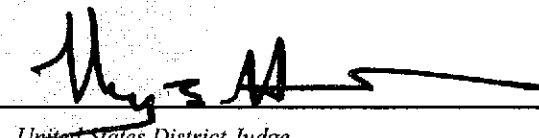
08CR 0118

PART 1 - ORDER TRANSFERRING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the NORTHERN DISTRICT OF ILLINOIS upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*

Jan. 28, 2008
Date


United States District Judge

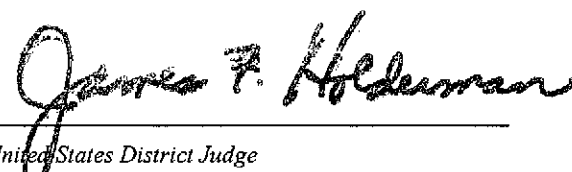
*This sentence may be deleted in the discretion of the transferring Court.

PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

FEB - 4 2008
Effective Date


United States District Judge

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT

BY

DEPUTY CLERK

RECEIVED

FEB 08 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
OFFICE OF THE CLERK**

**Lewis F. Powell, Jr. U.S. Courthouse Building
1000 East Main Street
Suite 307
Richmond, Virginia 23219**

Telephone: Area Code 804

FERNANDO GALINDO
CLERK OF COURT

Administrative 916-2200
Jury-Financial 916-2212
Criminal 916-2230
Civil 916-2220

February 12, 2008

Clerk, United States District Court
United States Courthouse
219 South Dearborn Street
Chicago, Illinois 60604

**RE: Our Case 3:03CR241 United States v. Eugene Cooley
Your Case 08CR0118**

Dear Clerk:

To effectuate the transfer of jurisdiction of probation, enclosed are certified copies of the form Probation 22 Transferring Jurisdiction, Indictment, Judgment In a Criminal Case, and Docket Sheet. Please acknowledge receipt of the second copy of the letter and return in the enclosed, stamped, self-addressed envelope.

Sincerely,



Lois Salmon
Deputy Clerk

cc: U.S. Attorney
U. S. Probation
U. S. Pretrial Services
U. S. Marshal Service
FLU Norfolk, VA
Financial Section USDC Richmond
File

ACKNOWLEDGMENT OF RECEIPT OF FILE:

Date: _____

Signed: _____

CLOSED

**U.S. District Court
Eastern District of Virginia (Richmond)
CRIMINAL DOCKET FOR CASE #: 3:03-cr-00241-HEH All Defendants
Internal Use Only**

Case title: USA v. Cooley
Magistrate judge case number: 3:03-mj-00211

Date Filed: 07/01/2003
Date Terminated: 10/24/2003

Assigned to: District Judge Henry E.
Hudson

Defendant

Eugene Cooley (1)
TERMINATED: 10/24/2003

represented by **Robert James Wagner**
Office of the Public Defender
830 East Main Street
Suite 1100
Richmond, VA 23219
(804) 343-0800
Email: robert_wagner@fd.org
TERMINATED: 10/24/2003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender

Pending Counts

21:841(a)(1) & 841(b)(1)(C)
Distribution of Controlled Substances
(Cocaine Base "Crack")
[21:841A=ND.F]
(1)

Disposition

IMPRISONMENT 90 MONTHS;
SUPERVISED RELEASE 3 YEARS;
S/A \$100 DUE IMMEDIATELY

Highest Offense Level (Opening)

Felony


Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT
BY 
Disposition **DEPUTY CLERK**

None

Plaintiff

USA

represented by **Matthew Childs Ackley**
 US Attorney's Office
 600 E Main St
 18th Fl
 Richmond, VA 23219
 (804) 819-5400
 Email: matthew.c.ackley@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert E. Trono
 Office of the U.S. Attorney
 600 E Main St
 Suite 1800
 Richmond, VA 23219
 (804) 819-5400
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

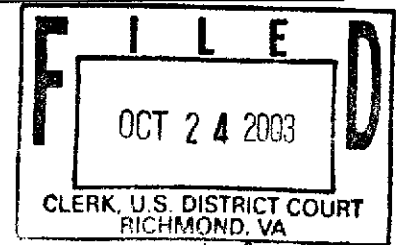
Date Filed	#	Docket Text
05/15/2003	1	COMPLAINT as to Eugene Cooley [3:03-m -211] (lcha) (Entered: 05/15/2003)
05/15/2003		ARREST WARRANT issued as to Eugene Cooley [3:03-m -211] (lcha) (Entered: 05/15/2003)
06/13/2003		ARREST of Eugene Cooley [3:03-m -211] (lcha) (Entered: 06/13/2003)
06/13/2003	2	Minute entry as to Eugene Cooley : (before Magistrate Judge David G. Lowe)(FTR) USA Appeared through: Robert Trono, AUSA, David Blessing, 3rd yr law student Dft(s) appeared through: Deft. w/o counsel. Court Hours: :05 Matter came on for initial appearance. Deft. advised of charges/penalties and rights. Deft. requested C/A counsel, executed affidavit, GRANTED. Govt's motion to detain deft. pending a detention hearing, GRANTED. Matter continued to 6/17/03 at 11:00 a.m. for detention/preliminary hearing. Deft. remanded to custody. [3:03-m -211] (lcha) (Entered: 06/13/2003)
06/13/2003		Initial appearance as to Eugene Cooley before Magistrate Judge David G. Lowe held; Preliminary Examination set for 11:00 6/17/03; Detention Hearing set for 11:00 6/17/03 (Defendant informed of rights.) [3:03-m -211] (lcha) (Entered: 06/13/2003)
06/13/2003	3	CJA 23 FINANCIAL AFFIDAVIT by Eugene Cooley [3:03-m -211] (lcha) (Entered: 06/13/2003)

06/13/2003	4	ORDER OF TEMPORARY DETENTION as to Eugene Cooley (Signed by Magistrate Judge David G. Lowe) [3:03-m -211] (lcha) (Entered: 06/13/2003)
06/13/2003	5	ORDER as to Eugene Cooley, to appoint federal public defender Frank W. Dunham Jr. (Signed by Magistrate Judge David G. Lowe) Copies Mailed: yes [3:03-m -211] (lcha) (Entered: 06/13/2003)
06/13/2003	6	ARREST WARRANT Returned Executed as to Eugene Cooley on 6/12/03 [3:03-m -211] (walk) (Entered: 06/13/2003)
06/16/2003	7	NOTICE of Appearance for Eugene Cooley by Attorney Robert James Wagner [3:03-m -211] (lcha) (Entered: 06/16/2003)
06/17/2003	8	Minute entry as to Eugene Cooley : (before Magistrate Judge David G. Lowe)(FTR) USA Appeared through: Robert Trono, AUSA, David Blessing, 3rd yr. law student. Dft(s) appeared through: Robert Wagner, FPD. Court Hours: :05 Matter came on for detention/preliminary hearing. Govt. adduced evidence, rested. Findings stated from the bench. Court found probable cause to believe deft. committed offense alleged in complaint. Deft. held w/o bond. Deft. remanded to custody. [3:03-m -211] (lcha) (Entered: 06/17/2003)
06/17/2003		Detention hearing as to Eugene Cooley before Magistrate Judge David G. Lowe held () [3:03-m -211] (lcha) (Entered: 06/17/2003)
06/17/2003		Preliminary Examination as to Eugene Cooley held () before Magistrate Judge David G. Lowe [3:03-m -211] (lcha) (Entered: 06/17/2003)
06/17/2003	9	ORDER OF DETENTION as to Eugene Cooley (Signed by Magistrate Judge David G. Lowe) [3:03-m -211] (lcha) (Entered: 06/17/2003)
07/01/2003	10	INDICTMENT as to Eugene Cooley (1) count(s) 1 (lsal) (Entered: 07/02/2003)
07/02/2003		Arraignment as to Eugene Cooley before Judge Henry E. Hudson set for 8:45 A.M. on 7/11/03 (lsal) (Entered: 07/02/2003)
07/11/2003	11	Minute entry as to Eugene Cooley : (before Judge Henry E. Hudson) (Blalock, OCR.) USA Appeared through: Robert E. Trono, AUSA. Dft(s) appeared through: Robert J. Wagner, Esq. Court Hours: :15. Matter came on for arraignment/ guilty plea. Plea Agreement and Statement of Facts filed in open court. Statement of Facts used as summary. Dft entered plea of guilty as to Count 1 of the Indictment. Court accepted plea. JUDGMENT: Dft guilty as charged in Count 1. PSR ordered. SGO entered. Sentencing set for 10/24/03 at 9:30 a.m. Dft remanded to custody. (rpiz) (Entered: 07/11/2003)
07/11/2003		Plea Agreement Hearing as to Eugene Cooley held before Judge Henry E. Hudson (rpiz) (Entered: 07/11/2003)
07/11/2003		PLEA entered by Eugene Cooley. Court accepts plea by Eugene Cooley Guilty: Eugene Cooley (1) count 1 (rpiz) (Entered: 07/11/2003)

07/11/2003	12	Plea Agreement as to Eugene Cooley (rpiz) (Entered: 07/11/2003)
07/11/2003	13	STATEMENT OF FACTS as to Eugene Cooley (rpiz) (Entered: 07/11/2003)
07/11/2003	14	ORDER for sentencing guidelines as to Eugene Cooley (signed by Judge Henry E. Hudson) (rpiz) (Entered: 07/11/2003)
07/11/2003		Sentencing before Judge Henry E. Hudson set for 9:30 10/24/03 for Eugene Cooley - Eugene Cooley (1) count 1 (rpiz) (Entered: 07/11/2003)
10/14/2003	15	POSITION with Respect to Sentencing Factors by USA as to Eugene Cooley; no objections (lsal) (Entered: 10/14/2003)
10/21/2003	16	MOTION by USA as to Eugene Cooley to grant additional one-level reduction in offense level (lsal) (Entered: 10/22/2003)
10/24/2003	17	Minute entry as to Eugene Cooley : (before Judge Henry E. Hudson) (Blalock, OCR). USA Appeared through: Robert E. Trono, AUSA. Dft appeared through: Robert J. Wagner, Esq. Court Hours: :05. Matter came on for sentencing on Count 1 of the Indictment. Factual correction made to PSR by defense counsel. Gov't, counsel, and dft heard. Dft sentenced to 90 MONTHS imprisonment; 3 YEARS supervised release; \$100 S/A due immediately. Recommendation to BOP: dft to participate in 500-hour residential drug treatment program. Special conditions of supv. release: participate in substance abuse treatment, paying cost as directed by P.O.; pay any balance owed on S/A in monthly installments of not less than \$50, to begin 60 days after release from custody until paid in full. Dft remanded to custody. (rpiz) (Entered: 10/24/2003)
10/24/2003		Sentencing before Judge Henry E. Hudson held () Eugene Cooley (1) count 1 (rpiz) (Entered: 10/24/2003)
10/24/2003	18	JUDGMENT Eugene Cooley (1) count 1. IMPRISONMENT 90 MONTHS; SUPERVISED RELEASE 3 YEARS; S/A \$100 DUE IMMEDIATELY (signed by Judge Henry E. Hudson) Copies Mailed: y (rpiz) (Entered: 10/24/2003)
02/02/2004	19	Judgment Returned Executed as to Eugene Cooley on 11/18/2003 (walk) (Entered: 02/02/2004)
10/21/2004	20	MOTION by USA as to Eugene Cooley SEALED MOTION (lsal) (Entered: 10/21/2004)
12/02/2004	21	SEALED ORDER as to Eugene Cooley granting [20-1] SEALED MOTION as to Eugene Cooley (1) (Signed by Judge Henry E. Hudson) Copies Mailed: yes (kste) (Entered: 12/02/2004)
02/28/2005	22	SEALED DOCUMENT by USA as to Eugene Cooley (kste) (Entered: 03/01/2005)
03/03/2005	23	SEALED ORDER as to Eugene Cooley (Signed by Judge Henry E. Hudson) Copies Mailed: yes (lsal) (Entered: 03/03/2005)
07/20/2005	24	STATUS REPORT *SEALED* by USA as to Eugene Cooley (kste,)

		(Entered: 07/21/2005)
07/26/2005	●25	SEALED ORDER as to Eugene Cooley . Signed by Judge Henry E. Hudson on 07/26/05. (kste,) (Entered: 07/26/2005)
10/13/2005	●26	SEALED MOTION by USA as to Eugene Cooley. (lsal) (Entered: 10/13/2005)
10/26/2005	●27	SEALED RESPONSE to [26] SEALED MOTION by Eugene Cooley (kste,) (Entered: 10/26/2005)
12/02/2005	●28	*SEALED* Minute Entry for proceedings held before Judge Henry E. Hudson (Court Reporter Liscio, OCR): Motion Hearing as to Eugene Cooley held on 12/2/2005 re [26] SEALED motion by USA to reduce sentence. Gov't appeared through Matthew C. Ackley, SAUSA. Dft appeared through Robert J. Wagner, Esq. (dft not present). Argument heard. Findings given from the Bench. Dft's sentence reduced to 60 months imprisonment (offense level reduced to 18). Order to enter. (rpiz) (Entered: 12/02/2005)
12/05/2005	●29	*SEALED* ORDER granting [26] Sealed Motion as to Eugene Cooley: the Court reduces the dft's total offense level from 23 to 19; it is hereby ordered that the dft's sentence on count 1 is reduced to 60 months; all other conditions and terms of the dft's sentence as previously ordered by this Court are continued; the Clerk is directed to file this Order under seal (signed by Judge Henry E. Hudson on 12/2/2005) (rpiz) (Entered: 12/05/2005)
01/28/2008	●	PROB 22 Transfer of Jurisdiction form signed by the Honorable Henry E. Hudson and mailed to Northern District of Illinois with transfer letter as to Eugene Cooley (kyou,) (Entered: 01/29/2008)
02/12/2008	●	Transfer Jurisdiction to Northern District of Illinois; certified Probation 22 form, Indictment, Judgment, Payment History and Docket Sheet sent to Clerk of Court; (lsal) (Entered: 02/12/2008)

UNITED STATES DISTRICT COURT
Eastern District of Virginia
Richmond Division



UNITED STATES OF AMERICA

v.

Case Number 3:03CR00241-001

EUGENE COOLEY,

Defendant.

JUDGMENT IN A CRIMINAL CASE

The defendant, EUGENE COOLEY, was represented by Robert J. Wagner.

The defendant pleaded guilty to count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of the following count, involving the indicated offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number
21:841(a)(1) and 21:841(b)(1)(C)	DISTRIBUTION OF COCAINE BASE (Felony)	10/11/02	One

As pronounced on October 24, 2003, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this 24th day of October, 2003.

Henry E. Hudson
United States District Judge

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT

BY
DEPUTY CLERK

Defendant: EUGENE COOLEY
Case Number: 3:03CR00241-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of NINETY (90) MONTHS.

The Court makes the following recommendations to the Bureau of Prisons:
Defendant to participate in the 500-hour residential drug treatment program.

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
_____, with a certified copy of this Judgment.

c: P.O. (2) (3)
Mshi. (4) (2)
U.S. Atty.
U.S. Coll.
Dft. Cnsl.
PTS
Financial
Registrar
ob

By

United States Marshal

Deputy Marshal

Defendant: EUGENE COOLEY
Case Number: 3:03CR00241-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of THREE (3) YEARS.

The Probation Office shall provide the defendant with a copy of the standard conditions and any special conditions of supervised release.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

While on supervised release, the defendant shall not commit another federal, state, or local crime.

While on supervised release, the defendant shall not illegally possess a controlled substance.

While on supervised release, the defendant shall not possess a firearm or destructive device.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

STANDARD CONDITIONS OF SUPERVISED RELEASE

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below):

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the Probation Officer within 72 hours, or earlier if so directed, of any change in residence.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by physician.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: EUGENE COOLEY
Case Number: 3:03CR00241-001

SPECIAL CONDITIONS OF SUPERVISION

While on supervised release, pursuant to this Judgment, the defendant shall also comply with the following additional conditions:

- 1) The defendant shall participate in a program approved by the Probation Office for substance abuse, which program may include residential treatment and testing to determine whether the defendant has reverted to the use of drugs or alcohol, with partial cost to be paid by the defendant, all as directed by the probation officer.
- 2) The defendant shall pay any balance owed on the Special Assessment imposed by the Court. Payment shall be made in installments of not less than \$50 per month, to begin 60 days after release from custody until paid in full.

Defendant: EUGENE COOLEY
Case Number: 3:03CR00241-001

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total monetary penalties in accordance with the schedule of payments set out below.

<u>Count</u>	<u>Special Assessment</u>	<u>Fine</u>
1	\$100.00	
<u>Total</u>	<u>\$100.00</u>	

FINE

No fines have been imposed in this case.

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

The special assessment is due in full immediately. If not paid immediately, the court authorizes the deduction of appropriate sums from the defendant's account while in confinement in accordance with the applicable rules and regulations of the Bureau of Prisons.

Any special assessment, restitution, or fine payments may be subject to penalties for default and delinquency.

If this judgment imposes a period of imprisonment, payment of Criminal Monetary penalties shall be due during the period of imprisonment.

All criminal monetary penalty payments are to be made to the Clerk, United States District Court, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

Judgment--Page 6 of 6

Defendant: EUGENE COOLEY
Case Number: 3:03CR00241-001

RESTITUTION AND FORFEITURE

RESTITUTION

Restitution has not been ordered in this case.

FORFEITURE

Forfeiture has not been ordered in this case.

RUN ON 02/12/08

FEDERAL COURT SYSTEMS
Eastern District of Virginia
CASE INQUIRY REPORT

PAGE: 1

CASE NO: 3:03-CR-00241 TITLE: USA VS EUGENE COOLEY

DEFENDANT #	ORDERED AMOUNT	AMOUNT PAID	BALANCE DUE	ACCOUNT	PAYMENT TYPE
1 EUGENE COOLEY	100.00	100.00	0.00	504100	SPECIAL ASSESSMENT
	100.00	100.00	0.00		

TRANSACTION	RECEIPT/ VOUCHER NUMBER	RECEIPT/ VOUCHER DATE	INCREASE/ (DECREASE) CASE BAL	TYPE OF TRANS-ACTION	ACCOUNT NUMBER	DEFENDANT PAYEE/BANK NUMBER	U.S. TREASURY	COMMERCIAL BANKS	OTHER
RECEIVED	50000683201	04/09/04	25.00	CK	504100	1			25.00
RECEIVED	50000747901	07/12/04	25.00	CK	504100	1			25.00
RECEIVED	50000844401	10/11/04	25.00	CK	504100	1			25.00
RECEIVED	50000971901	01/10/05	25.00	CK	504100	1			25.00

***** CASE SUMMARY *****

TOTAL CASE BALANCE: 100.00

BALANCE IN U.S. TREASURY: 0.00

CASE DEPOSITORY MAINT. BALANCE : 0.00

BALANCE IN COMMERCIAL BANKS:

CASE DEPOSITORY MAINT. BALANCE :

DEPOSITS TO RECEIPT ACCOUNTS:

TYPE OF TRANSACTION:

AD: ADJUSTMENT-368800

BD: DIRECT BANK DEPOSIT

CK: CHECK

CV: CASE VOUCHER

I : INTEREST

AJ: ADJUSTMENT

BT: BANK TRANSFER

CL: COLLATERAL

DW: DIRECT WITHDRAWAL

MO: MONEY ORDER

BV: BANK VOUCHER

CC: CREDIT CARD

CN: CONVERSION

DV: DEBIT VOUCHER

TR: TRANSFER

CH: CASH

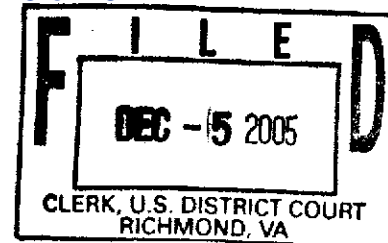
CR: CASE REFUND

FF: FORFEITURE

VD: VOID

100.00

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



Drum

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 3:03CR241-HEH
)	
EUGENE COOLEY,)	UNDER SEAL
)	
Defendant.)	

ORDER
(Granting Government's Motion to Reduce Sentence)

THIS MATTER is before the Court on the Government's Sealed Motion for a Reduction of Sentence pursuant to Federal Rule of Criminal Procedure 35(b). The Government requested that Defendant's sentence be reduced by twenty-five percent (25%). Defendant filed a response requesting this Court reduce his sentence by fifty percent (50%). On December 2, 2005, the Court heard oral argument on this matter. Pursuant to Federal Rule of Criminal Procedure 43(b)(4), the defendant waived his right to be present at such hearing.

IT APPEARING that the defendant, Eugene Cooley, has provided substantial assistance to the Government, it is HEREBY ORDERED that the Government's motion is GRANTED. Therefore, the Court reduces the Defendant's Total Offense Level from twenty-three (23) to nineteen (19). IT FURTHER APPEARING that the defendant falls into Criminal History Category V, his adjusted penalty range on Count One is reduced to fifty-seven (57) to seventy-one (71) months. Within that penalty range, it is HEREBY ORDERED that the defendant's sentence on Count One is reduced to sixty (60) months. Therefore, it is HEREBY ORDERED that the defendant IS COMMITTED to the Bureau of Prisons for a term of sixty (60) months of

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT

1
BY

Lawrence
DEPUTY CLERK

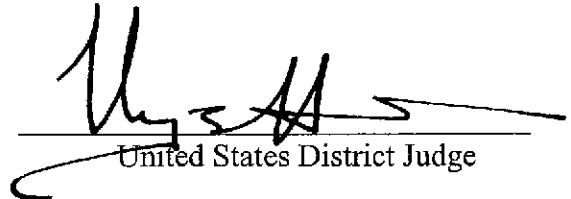
incarceration.

All of the other conditions and terms of the defendant's sentence, as previously ordered by this Court, are CONTINUED.

The Clerk is directed to file this Order UNDER SEAL.

It is so ORDERED.

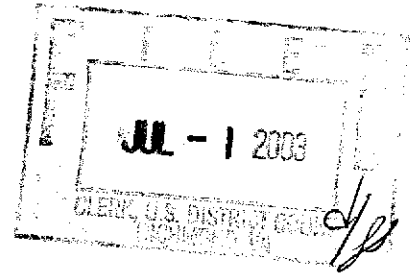
The Clerk is directed to send a copy of this Order to all counsel of record, to the United States Marshal Service, and to the United States Probation Office. The United States Marshal Service is directed to forward a copy of this Order to the appropriate Bureau of Prisons Facility.


United States District Judge

Date: Dec 2, 2005
Richmond, VA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division



UNITED STATES OF AMERICA

v.

EUGENE COOLEY

)
)
) Criminal No. 3:03CR 241
)
) 21 U.S.C. §841
) Distribution of Controlled Substances
)

INDICTMENT

JULY 2003 TERM - At Richmond

THE GRAND JURY CHARGES that on or about October 11, 2002, in the Eastern District of Virginia and within the jurisdiction of this Court, EUGENE COOLEY did knowingly, intentionally, and unlawfully distribute a mixture and substance containing detectable amounts of cocaine base, commonly known as "crack," a Schedule II controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C)).

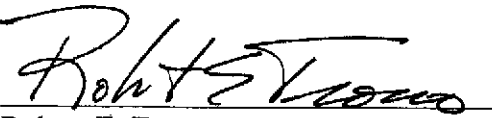
A TRUE BILL


FOREPERSON

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT

BY 
DEPUTY CLERK

PAUL J. McNULTY
UNITED STATES ATTORNEY

By: 
Robert E. Trono
Assistant United States Attorney